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109.0023  
GE's Homebuyer Privileges

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Antonello et al.

Serial No.: 09/682,851

Filed: October 24, 2001

For: METHODS AND APPARATUS FOR PRESENTING OFFERS TO QUALIFIED  
CONSUMERS

Group: 2161

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Durham, North Carolina  
March 17, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATION OF FACSIMILE TRANSMISSION

Sirs:

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax. No. 703-872-9306 on the date set forth below

1. Petition to Make Special (13 pages)
2. PTO/SB08A (1 page)
3. WO 2004/063951 A1 (30 pages)

Marianna Tortorelli

Printed name of person signing



Signature

Date: March 17, 2005

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Petition to Make Special Under  
37 CFR 1.102 (d)

Sir:

This Petition pursuant to 37 C.F.R. § 1.102(d) requests that this patent application be made special and advanced out of turn for examination. The Applicant requests that the application be granted accelerated examination, and has complied with MPEP 708.02 VIII, including:

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(A) Submitting this Petition and authorizing the Commissioner to deduct the fee of 130.00 under 37 C.F.R. § 1.17(h) in payment for this Petition from deposit account number 50-1058;

(B) Respectfully submit that all claims, claims 1-19, are directed to a single invention. In the event the system claims 1-13 and method claims 14-20 are deemed to relate to a different invention, then applicants provisionally elect claims 1-13 for further prosecution;

(C) A pre-examination search has been performed by a professional patent search firm which conducted a careful and thorough search of the prior art. The classes and sub-classes searched were:

<u>Class</u>	<u>Sub-Classes</u>
705	1, 14 and 26

In addition, a computer database search was conducted on the U.S.P.T.O. East and West for U.S. and foreign patents, and a literature search was also conducted on the Internet and commercial databases for relevant non-patent documents. Examiner James Myhre in class 705 (Art Unit 3622) was consulted in confirming the field of search.

(D) The following references are deemed most closely related to the subject matter encompassed by the claims:

1. 6,026,370
2. 6,321,210
3. 6,766,301
4. US 2002/0002485
5. US 2002/0032597
6. US 2002/0046099
7. US 2002/0161641
8. US 2002/0174011

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9. US 2003/0028424
10. US 2003/0078789
11. US 2003/0139969
12. US 2003/0200139
13. US 2004/0024639
14. US 2004/0117261
15. US 2004/0143491
16. US 2005/0010473
17. WO 2004/0063591

(E) A detailed discussion of each of the above references, which points out with the particularity required by 37 C.F.R. § 1.111(b) and (c) how the claimed subject matter is patentable over said references as follows:

1. U.S. Patent No. 6,026,370 to Jermyn describes a method and apparatus for generating customized purchase incentive mailings for selected customer households based on prior purchase history. Purchase transactions of many consumers, generally in different stores, are accumulated in a purchase customer database over a long period of time and then used to generate customized incentive offers for selected consumers. Abstract. A purchase history database is scanned to select customers who have made purchases in a product category, and each selected customer's transactions are analyzed to determine a profile which is used to customize a purchase incentive.

However, Jermyn does not describe or suggest a consumer registration module allowing registration of a consumer for access to an offer presentation module where registration is allowed upon submission of identifying information provided to the customer by a party who has verified the consumer's membership in the designated category in the combination of elements or steps claimed by claims 1 and 14, respectively.

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2. U.S. Patent No. 6,321,210 to O'Brien et al. (O'Brien) describes a method and apparatus for selective distribution of discount coupons in a retail store, conditioned on a preselected combination of present and past shopping behavior of a customer whose order is being processed at a checkout stand. Printable discount coupons are generated based on any combination of customer-supplied data. O'Brien relates to point-of-sale systems of the type used in retail stores capable of handling discount coupons.

However, O'Brien does not describe or suggest a consumer registration module allowing registration of a consumer for access to an offer presentation module where registration is allowed upon submission of identifying information provided to the customer by a party who has verified the consumer's membership in the designated category in the combination of elements or steps claimed by claims 1 and 14, respectively.

3. U.S. Patent No. 6,766,301 to Daniel et al. (Daniel) describes "Fraud Deterred Product and Service Coupons" which are part of a membership user coupon program for printed and electronic coupons having built-in measures to deter fraud committed by a retailer and/or a consumer during the redemption and/or reimbursement of the coupon. Title and Abstract. An interactive online database system, IODS, is described which operates on a membership basis. Users are validated and given an identification number or mark. Col. 4, lines 3-6.

However, Daniel does not describe or suggest a consumer registration module allowing registration of a consumer for access to an offer presentation module where registration is allowed upon submission of identifying information provided to the customer by a party who has

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verified the consumer's membership in the designated category in the combination of elements or steps claimed by claims 1 and 14, respectively.

4. US 2002/0002485 A1 to O'Brien et al. (O'Brien) describes "Method and Apparatus for Selective Distribution of Discount Coupons Based on Prior Customer Behavior" in conjunction with a system for automatically distributing discount coupons or certificates in a retail store, conditioned on a preselected combination of present and past shopping behavior. Title and Abstract. If preselected conditions are satisfied, the coupon or coupons are generated at the check out stand.

However, O'Brien does not describe or suggest a consumer registration module allowing registration of a consumer for access to an offer presentation module where registration is allowed upon submission of identifying information provided to the customer by a party who has verified the consumer's membership in the designated category in the combination of elements or steps claimed by claims 1 and 14, respectively..

5. US 2002/0032597 A1 to Chanos describes a "System and Method for Providing Request Based Consumer Information" which is said to effectively target consumer information to those consumers who want to use a product or services. Title and Abstract. One aspect is said to address a request based marketing system. The marketing system organizes consumer information into a number of request services, such as, "Discounts", "Comparisons", "New Releases", "Catalogs" or the like. Because consumers may subscribe to a particular set of request services the system provides highly customized consumer information to customers who actually want to receive it. Abstract, col. 2, pars. 13 and 14.

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However, Chanos does not describe or suggest a consumer registration module allowing registration of a consumer for access to an offer presentation module where registration is allowed upon submission of identifying information provided to the customer by a party who has verified the consumer's membership in the designated category in the combination of elements or steps claimed by claims 1 and 14, respectively.

6. US-2002/0046099 A1 Frengut et al. (Frengut) describes a "Method for Providing Customized User Interface and Targeted Marketing Forum" in which consumers are provided with a graphical interface tailored in appearance and content to the consumer's specifications. Title and Abstract. Advertisers are provided with a targeted audience of consumers having an increased likelihood of interest. A customized interface is achieved by generating a computer file or "page" based on information about both the user and advertisement. Page 1, par. 9. Users subscribe and provide a variety of preference information which is compiled in a user profile. Ads are stored in a context database and profiles are generated. Then, profiles are compared to determine matches. Page 2, par. 25.

However, Frengut shows a system providing advertisers and other commercial entities with a targeted audience of consumers having an increased likelihood of interest in the advertisement or commercial content. Its network interface is designed to cater to consumers' needs and preferences, and not dictated by the agendas of sellers, advertisers, and proprietors. The effect is to provide a forum for buyers and sellers to interact while satisfying the preferences of both parties simultaneously, in contrast with conventional advertising and marketing models. See figures and summary.

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7. US 2002/0161641 A1 Quinlan et al. (Quinlan) describes a "Method and System for Redeeming Product Marketing Rebates" in which a web site is provided which is accessible by the consumer. That web site is integrated with a processing system accessible by a retailer. Title and Abstract. The processing system receives an identifier for a qualified transaction or customer and information from which it can be determined if the transaction at least partially satisfies a rebate offer. When the rebate conditions are satisfied, the value of the rebate is transferred to the customer.

However, Quinlan does not describe or suggest a consumer registration module allowing registration of a consumer for access to an offer presentation module where registration is allowed upon submission of identifying information provided to the customer by a party who has verified the consumer's membership in the designated category in the combination of elements or steps claimed by claims 1 and 14, respectively.

It is noted that Quinlan was filed March 15, 2002 and as such is not itself prior to the present application's filing date of October 24, 2001. Quinlan does claim to be a continuation-in-part of Application No. 09/495,819 which was filed February 2, 2000 which in turn claims priority of two earlier applications.

8. US 2002/0174011 A1 Sanchez et al. (Sanchez) addresses "Systems and Methods for Conducting a Loyalty Program" utilizing a membership reward system for registering customers as members of a membership reward program, and for providing offers to the members based upon the members' transactions with company partners of the membership program. Title and Abstract.



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However, Sanchez does not describe or suggest a consumer registration module allowing registration of a consumer for access to an offer presentation module where registration is allowed upon submission of identifying information provided to the customer by a party who has verified the consumer's membership in the designated category in the combination of elements or steps claimed by claims 1 and 14, respectively.

It is noted that Sanchez was filed March 14, 2002 and as such is not itself prior art to the present application's filing date of October 24, 2001. Sanchez does claim priority of Provisional Application No. 60/275,961 filed on March 14, 2001.

9. US 2003/0028424 A1 Kampff et al. (Kampff) described a "Method and System for the Direct Delivery of Product Samples" in which offers for retailers to participate in a sampling program are determined; the offers are transmitted to retailers; consumer profile data is received from various retailer computer systems; profile data meeting consumer profile criteria is selected; and instructions are communicated for delivering sample products to consumers associated with the selected profile data. Title and Abstract.

Kempff shows a system providing manufacturers a simple method for wide scale buyographic targeted distribution, (i.e., targeting based upon consumer or household purchase behavior history information), of incentives, and in particular, product samples. The system provides computer network implemented method and system for targeted product sampling of various customers each of whose consumer profile data is stored in different computer systems of various retailers. See figures and paragraphs [0014]-[0022].

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However, Kampff does not describe or suggest a consumer registration module allowing registration of a consumer for access to an offer presentation module where registration is allowed upon submission of identifying information provided to the customer by a party who has verified the consumer's membership in the designated category in the combination of elements or steps claimed by claims 1 and 14, respectively.

10. US 2003/0078789 A1 Oren addresses a "Method and System for Administering Consumer Club Membership Cards" wherein a club administrator maintains a portfolio of a subscriber's clubs including details of each club, and conveys to a portable subscriber unit details of at least one club for displaying membership certification on a display. Title and Abstract. The portable subscriber unit may be a cell phone which stores identity data for the registered owner including the owner's picture. In use, the registered owner can display information attesting to his or her membership thereby obviating the need to carry large numbers of membership cards.

However, Oren does not describe or suggest a consumer registration module allowing registration of a consumer for access to an offer presentation module where registration is allowed upon submission of identifying information provided to the customer by a party who has verified the consumer's membership in the designated category in the combination of elements or steps claimed by claims 1 and 14, respectively.

11. US 2003/0139969 A1 Scroggie et al (Scroggie) addresses a "System and Method for Distributing Information through Cooperative Communication Network Sites" in which product information is distributed to consumers through a communication network that connects

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consumer communication nodes to a cooperative network site. Title and Abstract. To receive targeted offers, the consumer can define consumer shopping preferences.

However, Scroggie does not describe or suggest a consumer registration module allowing registration of a consumer for access to an offer presentation module where registration is allowed upon submission of identifying information provided to the customer by a party who has verified the consumer's membership in the designated category in the combination of elements or steps claimed by claims 1 and 14, respectively.

12. US 2003/0200139 A1 Yan addresses "Method of Marketing a Service Industry and Tacking Individuals Referred to Service Industry by a Host Website" in which a database is established that is accessible through the host website. Title and Abstract. An incentive is provided to an individual to visit the service industry. A membership card is provided to the individual, and the incentive is redeemed when the individual visits the service industry and presents the membership card.

However Yan does not describe or suggest a consumer registration module allowing registration of a consumer for access to an offer presentation module where registration is allowed upon submission of identifying information provided to the customer by a party who has verified the consumer's membership in the designated category in the combination of elements or steps claimed by claims 1 and 14, respectively.

It is noted that Yan was filed April 17, 2002 and as such is not itself prior art to the present application's filing date of October 24, 2001. Nonetheless, it is submitted in the interest of completeness.

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13. US 2004/0024639 A1 Goldman was filed August 5, 2002. As such, it is not prior art, but is submitted in the interest of completeness.

Goldman shows systems and methods for managing direct marketing electronic messages between one or more marketers and one or more subscribers, comprising the acts of: registering a plurality of marketers; subscribing a plurality of subscribers who have consented to receiving marketing electronic messages; obtaining marketing electronic messages associated with the marketers; and sending the marketing electronic messages to one or more of the plurality of subscribers based on criteria that are used to determine which electronic messages are to be sent to the subscribers. See figures and summary.

14. US 2004/0117261 A1 Walker et al. (Walker) describes "Method and Apparatus for Determining a Progressive Discount for a Customer Based on the Frequency of the Customer's Transaction" in which more frequent or profitable customers are rewarded with larger discounts. Title and Abstract. If the customer fails to meet the conditions, the discount is decreased or eliminated.

However, Walker does not describe or suggest a consumer registration module allowing registration of a consumer for access to an offer presentation module where registration is allowed upon submission of identifying information provided to the customer by a party who has verified the consumer's membership in the designated category in the combination of elements or steps claimed by claims 1 and 14, respectively.

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15. US 2004/0143491 A1 Steinberg describes a "Method and System for Management of Purchasing Incentives" that enables consumer to determine the availability of purchasing incentives through their memberships in loyalty programs. Title and Abstract.

However, Steinberg does not describe or suggest a consumer registration module allowing registration of a consumer for access to an offer presentation module where registration is allowed upon submission of identifying information provided to the customer by a party who has verified the consumer's membership in the designated category in the combination of elements or steps claimed by claims 1 and 14, respectively.

It is noted that Steinberg was filed August 2, 2001 and it is not admitted that this item filed shortly before the October 24, 2001 filing date of the present application is in fact prior to the invention date of the present invention.

16. US 2005/0010473 A1 McLaughlin was filed July 11, 2003. As such, it is not prior art, but is submitted in the interest of completeness.

17. WO 2004/063951 Knorr claims a priority date of January 15, 2003. As such it is not prior art, but is submitted in the interest of completeness.

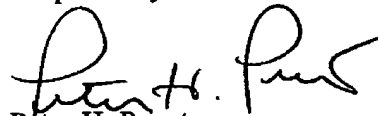
The attached Information Disclosure Statement and form PTO/SB08A lists the above items for the Examiner's consideration. It being noted that all the items provided to the undersigned as a result of the aforementioned search are listed as possible aids to further searching even though several items appear not to be prior art and other items may not be. The filing of this Information Disclosure Statement shall not be construed as an admission that the

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information cited is considered to be material to patentability, nor shall it be construed that no other material information exists.

It is respectfully requested that the Petition be granted and the application be given special status and advanced out of turn.

Respectfully submitted,



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